

## Article - Health - General

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§19–906.

(a) To qualify for a license, an applicant and the hospice care program and its medical director shall meet the requirements of this section.

(b) An applicant who is an individual, and any individual who is applying on behalf of a corporation, association, or government agency shall be:

(1) At least 18 years old; and

(2) Of reputable and responsible character.

(c) (1) Except for a limited licensee, the applicant shall have a certificate of need, as required under Subtitle 1 of this title, for the hospice care program to be operated.

(2) The Secretary, in consultation with the Maryland Health Care Commission, shall specify those jurisdictions in which a general hospice is authorized to provide home-based hospice services.

(3) A general hospice may not be licensed to provide home-based hospice services in a jurisdiction unless the general hospice or an entity acquired by the general hospice provided home-based hospice services to a patient in the jurisdiction during the 12-month period ending December 31, 2001.

(4) Notwithstanding paragraph (3) of this subsection:

(i) A general hospice may provide home-based hospice services to a specific patient outside of the jurisdictions in which the hospice is licensed if the Maryland Health Care Commission approves the service provision; and

(ii) A general hospice that is a hospital-based hospice or that had an affiliation agreement before April 5, 2003 with a health care facility or health care system may serve patients immediately upon discharge from the hospital, health care facility, or health care system, regardless of the jurisdiction in which the patient resides.

(5) Upon the notification by the Maryland Health Care Commission of the issuance of a certificate of need to a general hospice, the Secretary shall append

to the general hospice license any additional jurisdictions in which the general hospice may provide home-based hospice services.

(6) The hospice care program to be operated and its medical director shall meet the requirements that the Secretary adopts under this subtitle.

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